

MEMO ENDORSED



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January 17, 2020

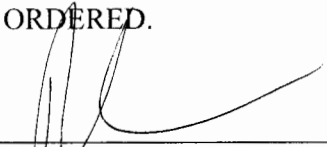
Via ECF

The Honorable Ronnie Abrams
United States District Judge
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

U.S. v. Michael Roque, 18-Cr-640 (RA)
Request for Adjournment of Sentencing Hearing

Application granted. The sentence is adjourned to April 2, 2020 at 10:00 a.m.

SO ORDERED.




Ronnie Abrams, U.S.D.J.
January 21, 2020

Honorable Judge Abrams:

I write this letter with the consent of the government to respectfully request an 8 week adjournment of Mr. Roque's sentencing hearing, currently scheduled for January 31, 2020 at 3pm, for the following reasons. First, the presentence report was not disclosed within the required 35 days prior to sentencing as required by the Federal Rules of Criminal Procedure ("Rules"). *See, FED. R. CRIM. P. 32(e)(2) -- Minimum Required Notice. The probation officer must give the presentence report to the defendant, the defendant's attorney, and an attorney for the government at least 35 days before sentencing unless the defendant waives this minimum period.* We did not waive this required 35 day period.¹ Second, we have not yet received any documents or letters in support of Mr. Roque by his employers and friends and family. Thus, we will need this additional time in order to properly review the presentence report, file any necessary objections, and then prepare a comprehensive sentencing memorandum for the Court in advance of sentencing. I have conferred with the government and they do not object to our request. Accordingly, we are requesting an adjournment to any date (after 11am) during the week of March 23, 2020, or any date thereafter that is convenient to the Court (except for April 24 or 30, 2020).

I thank the Court in advance for its consideration of this matter.

Respectfully,



Judith Vargas, Esq.

¹ The final presentence report was actually filed on today's date. However the defense did not have the opportunity to review and file any objections to said report since Probation did not file a preliminary report. *See, FED. R. CRIM. P. 32(f), (g).*